

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

(1) CHANDRA FRANKLIN,)
(2) NIKKI ROBBINS, and)
(3) MARINA YEVAZOVA)
Plaintiffs,)
vs.) Case No. 16-CV-00115-JHP-PJC
(1) OKLAHOMA STATE UNIVERSITY)
MEDICAL CENTER and)
(2) REBECCA WILSON)
Defendants.)

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1331, 1441, 1446, and LCvR 81.2, Defendants, Oklahoma State University Medical Center¹ and Rebecca Wilson (collectively “Defendants”), hereby remove from the District Court of Tulsa County, State of Oklahoma, to the United States District Court for the Northern District of Oklahoma, Case No. CJ-2015-3112, styled as *Chandra Franklin, Nikki Robbins and Marina Yevazova, Plaintiffs v. Oklahoma State University Medical Center and Rebecca Wilson, Defendants*.

The following statements are submitted pursuant to 28 U.S.C. § 1446:

1. Pursuant to LCvR 81.2 of the United States District Court for the Northern District of Oklahoma, copies of all matters filed of record in the state court proceeding or served upon Defendants are attached hereto along with a copy of the docket sheet, and all such matters include the following:
 - a. Petition;
 - b. Entry of Appearance for Brendan McHugh;
 - c. Summons issued to Oklahoma State University Medical Center;

¹ Plaintiffs allege causes of action against their former employer, “Oklahoma State University Medical Center.” However, Oklahoma State University Medical Center is not a proper party to this lawsuit. The legal entity that employed Plaintiffs is OSUMC Professional Services, LLC (“OSUMC”). OSUMC is filing a Notice of Party Name Correction contemporaneously with the filing of this Notice of Removal.

- d. First Amended Petition; and
- e. Certificate of Service.

2. This case involves five causes of action arising out of the employment of Plaintiffs, Chandra Franklin, Nikki Robbins, and Marina Yevazova, by OSUMC: (1) Malicious Interference with a Contractual Relationship; (2) violation of free speech under the Oklahoma Constitution; (3) Intentional Infliction of Emotional Distress; (4) discrimination on the basis of race in violation of 42 U.S.C. §§ 1981 and 1983; and (5) discrimination on the basis of ethnicity, ancestry, discrimination and national origin in violation of 42 U.S.C. §§ 1981 and 1983.

3. The Court has original jurisdiction over Plaintiffs' 42 U.S.C. §§ 1981 and 1983 claims pursuant to 28 U.S.C. § 1331.

4. The Court has supplemental jurisdiction over Plaintiffs' state law claims pursuant to 28 U.S.C. § 1337.

WHEREFORE, Defendants, OSUMC and Rebecca Wilson, pray that the above action now pending against them in the District Court of Tulsa County, State of Oklahoma, be removed to this Court.

Respectfully submitted,
NEWTON, O'CONNOR, TURNER & KETCHUM
A PROFESSIONAL CORPORATION

By: /s/ Rachel B. Crawford
W. Kirk Turner, OBA # 13791
Rachel B. Crawford, OBA # 20662
Samanthia S. Marshall, OBA # 22640
NEWTON, O'CONNOR, TURNER & KETCHUM, PC
15 West Sixth Street, Suite 2700
Tulsa, OK 74119
(918) 587-0101
(918) 587-0102 (Facsimile)
kturner@newtonoconnor.com
rcrawford@newtonoconnor.com
smarshall@newtonoconnor.com

ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that on February 25, 2016, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Brendan M. McHugh

I hereby certify that on February 25, 2016, I served the foregoing document by mail on the following, who are not registered participants of the ECF System (None):

Dana Jim
P.O.Box 888
Vinita, OK 74301

/s/ Rachel B. Crawford
Rachel B. Crawford